

REMARKS/ARGUMENTS

Claims 17-19 are pending in this application. Claims 1-16 were previously canceled without prejudice. Claim 20 is canceled herein without prejudice. Claims 21-88 were previously withdrawn as being directed to non-elected subject matter. Applicants reserve the right to file one or more continuation, continuation-in-part, or divisional applications towards any canceled or withdrawn subject matter. Claim 17 is amended herein. Basis for this amendment may be found throughout the specification and claims as originally filed. For example, basis for the amendments in claim 17 may be found in claims 13 and 16, and in paragraph [0015] of the specification as originally filed. No new matter has been added.

Claim Rejections – 35 U.S.C. §112

Claims 17-20 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. It is alleged that the method of claim 17 is unclear as it appears that there are two contacting steps: a cell free contacting step and a milk contacting step. Applicants respectfully disagree.

In the interest of furthering prosecution of the application to grant of a U.S. patent however, claim 17 is amended herein to recite the contacting step only once as follows:

“17. A method of producing a glycoprotein having at least one α 1,4-linked N-acetylglucosamine (α 1,4-linked GlcNAc) residue, comprising contacting, under conditions suitable for glycosylation of a polypeptide, milk of a mammal containing a carrier polypeptide with an α 1,4-N-acetylglucosaminyl transferase (α 4GnT), and optionally, a core2 β 1,6-N-acetylglucosaminyl transferase-I (C2GnT-I) or a core1 extension β 1,3-N-acetylglucosaminyl transferase (C1- β 3GnT); wherein the carrier polypeptide is a mucin-type glycoprotein that includes at least one O-glycosylation site, whereby the carrier polypeptide is glycosylated by the α 4GnT, and optionally, by the C2GnT-I or by the C1- β 3GnT, thereby producing a glycoprotein having at least one α 1,4-linked GlcNAc residue.”

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Thus, as amended herein, claim 17 clearly includes only one contacting step.
Applicants respectfully request reconsideration and removal of this rejection.

Claim Rejections - 35 U.S.C. §102

Claim 20 remains rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Nakayama et al. (1999, PNAS, Vol. 96, pgs. 8991-8996) as evidenced by Xing et al. (1989, Immunol. Cell Biol., Vol. 67, pgs. 183-195).

While not agreeing with the characterization of claim 20 as a product by process claim, but in order to further prosecution of this application to grant of a U.S. patent, claim 20 is canceled herein, which renders this rejection moot.

Applicants respectfully request reconsideration and removal of this rejection.

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CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved, the Examiner is requested to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

A request for continued examination (RCE) under 37 CFR §1.114 accompanies this response. The Commissioner is hereby authorized to charge the amount of \$405.00 as payment for the RCE to Deposit Account No. 07-1896, referencing the above-identified Attorney Docket Number. No additional fees are believed to be due with the present communication, however, the Commissioner is hereby authorized to charge any additional fees that may be due in connection with the filing of this paper, or credit any overpayment to Deposit Account No. 07-1896, referencing the above-identified Attorney Docket Number.

Respectfully submitted,

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Edward D. Lutin 43,049
fn Lisa A. Haile, J.D., Ph.D.
Registration No.: 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

DLA PIPER LLP (US)
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133
USPTO Customer No.: 28213